GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Home Department – Petition of Sri B. Mahesh, Ex-Police Constable - 4507 of V.Kota PS (f) Chittoor-II Town PS against the termination of probation – Allowed – Orders – Issued.

HOME (SER.II) DEPARTMENT

G.O.Rt. No.211 **Dated: 22.02.2023**
Read the following:

1) Mercy petition dated 31.05.2018 of Sri B. Mahesh, Ex-PC-4507 of Chittoor District.
2) From the Director General of Police, A.P., Mangalagiri, letter Rc. No. 92/E-3/2018, dated:09.10.2018.
3) Government Memo. No.1755(P)/Ser.II/A1/2018-2, Home (Ser.II) Dept., dated:12.02.2020.
4) Representation dated:10.07.2020 of Sri B. Mahesh, Ex-PC 4507 of V.Kota through the Hon'ble Minister (Home).

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ORDER:

In the reference 1st read above, Sri B. Mahesh, Ex-PC-4507 of Chittoor District has submitted Mercy petition and requested to set aside the punishment of 'termination of probation' awarded by the Superintendent of Police, Chittoor District.

2. In the reference 2nd read above, the Director General of Police, A.P., Mangalagiri has stated that Sri B. Mahesh, Ex-PC 4507/CT of Chittoor District was appointed as Civil PC with effect from 15.04.2013 and placed on probation for a period of two years duty period within continuous period of three years. While he was under probation period, he exhibited gross reprehensible misconduct by involving in a criminal case in Cr.No. 48/2015 U/Sec. 384, 506, 109 IPC r/w 34 IPC of Chittoor–II Town PS as A1 and got arrested on 25.03.2015 and sent for remand. He was placed under suspension with effect from 25.03.2015 i.e. from the date of his arrest.

3. The Police Constable being a probationer involved in a criminal case, a show cause notice was issued on 26.01.2016 to Sri B. Mahesh, Ex-PC 4507 of V. Kota PS (f) Chittoor–II Town PS, as required in Rule-17(a)(ii) of A.P. State & Subordinate Service Rules, 1996. He has submitted explanation requesting to continue him in service till the judgment in the criminal case in pronounced. Not convincing with the explanation of the above PC, the Appointing authority i.e., Superintendent of Police, Chittoor District, terminated his probation and he was discharged from service as he exhibited unsatisfactory performance / conduct during his probation period by involving in a criminal case vide his proceedings dated 26.01.2016.

4. His Appeal petition was rejected by the Director General of Police, A.P., vide memo dated:21.06.2017, as there is no provision of appeal in cases of termination of probation under Rule 17 (a) (ii) of the APS & SS Rules, 1996. In the reference 3rd read above, Government have rejected the request of Sri B. Mahesh, Ex-Police Constable-4507 of V.Kota PS (f) Chittoor-II Town PS, to reinstate him into service.

5. Aggrieved by the above orders, Sri B. Mahesh, Ex-Police Constable-4507 of V.Koa PS (f) Chittoor-II Town PS has made another representation vide reference 4th read above and stated that Hon'ble Judicial Magistrate of 1st Class Special Mobile Court, Chittoor in its order dated:10.02.2017 was acquitted in Cr.No.48/2015 under section 248(1) Cr.PC. He has, therefore, requested to set aside the orders of "Termination of Probation" and reinstate him into service.

[P.T.O]

6. Government, after careful re-examination of the entire matter, with available records and orders of the Hon'ble 1st Class Judicial Magistrate Court, Chittoor, hereby reinstate Sri B. Mahesh, Ex-Police Constable-4507 of V.Kota PS (f) Chittoor-II Town PS, into service. He shall be placed on probation afresh. The period of out of employment is treated as 'Not on duty'.

7. The Director General of Police, Andhra Pradesh, Hyderabad, is requested to take necessary follow up action in the matter accordingly.

HARISH KUMAR GUPTA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General of Police, A.P., Mangalagiri.
Copy to:
The OSD to Hon'ble Minister(Home).
The P.S. to Prl. Secretary to Govt.(Home).
SF/SCs

//Forwarded::By Order//

SECTION OFFICER.